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September 25, 2007

**VIA E-MAIL AND HAND DELIVERY**

The Honorable Vincent J. Poppiti  
Blank Rome LLP  
Chase Manhattan Centre, Suite 800  
1201 N. Market Street  
Wilmington, DE 19801-4226

**Re: DM No. 5**

***In re Intel Corp. Microprocessor Antitrust Litigation*, MDL No. 05-1717-JJF;  
*Phil Paul v. Intel Corp.*, Consolidated C.A. No. 05-485-JJF**

Dear Judge Poppiti:

Class Plaintiffs attach their Proposed Report and Recommendation on their Motion to Compel Fry's Electronics, Inc. (DM No. 5), and respectfully submit that their proposed order is more appropriate than the competing proposal suggested by Fry's, and more consistent with the Special Master's conclusions at the September 11, 2007 hearing.

Class Plaintiffs' proposed order, unlike Fry's, specifies that the OEM incentives data "must be specific to computers of the brand in question, and not include any incentives for other brands." Fry's proposed version is devoid of any language on this point. Such language, which was part of the proposal approved by the Special Master (see Exhibit 3 to Class Plaintiffs' August 10 Letter Brief), is essential to minimize the potential for further disagreement in this hard-fought discovery dispute.

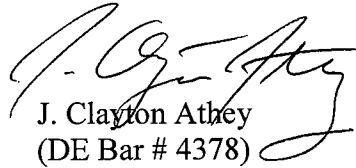
Class Plaintiffs' decision to propose equal sharing both as to production costs and as to Special Master fees (regarding a motion that was granted in their favor) is more than reasonable. Fry's counter to this reasonable offer - an attempt to put all Special Master costs on Class Plaintiffs alone - should be rejected.

Finally, Class Plaintiffs are unsure as to the meaning or necessity of the "subject to any right of appeal" language proposed by Fry's in the last paragraph. Any appellate rights should be subject to governing law and should not be altered by this Court's order.

Class Plaintiffs respectfully request entry of their Proposed Report and Recommendation.

The Honorable Vincent J. Poppiti  
September 25, 2007  
Page 2

Respectfully,

  
J. Clayton Athey  
(DE Bar # 4378)

cc: Mary B. Graham, Esquire (via email)  
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